

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

WALMART, INC. and WAL-MART  
STORES EAST, LP,

Defendants.  
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) Civil Action No. 1:20-cv-01744-CFC  
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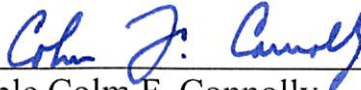
**PROPOSED ORDER**

WHEREAS, the United States of America having asked this Court for an Order confirming that it may at this time access documents that Walmart has produced into the repository in *In re National Prescription Opiate Litigation*, Case No. 1:17-md-02804-DAP (N.D. Ohio) established by MDL Case Management Order No. 1 (MDL Docket No. 232) at 15, ¶9.k.ii. and Discovery Ruling 22 (MDL Docket No. 2576) (“the MDL Repository”), and the Court having considered the request and response thereto;

IT IS HEREBY ORDERED this 20<sup>th</sup> of September, 2022, as follows:

1. The United States of America may access certain documents that Walmart has produced into the MDL Repository and that have not been designated by Walmart as containing protected health information; to facilitate this, Walmart agrees to provide the United States of America by September 16, 2022, with a list of volumes or documents that Walmart believes the United States of America may not access under this Order.
2. The United States of America shall bear all costs associated with such access and shall ensure that Walmart is promptly provided with a list of the documents that it obtains access to, by bates number where possible; and
3. Unless otherwise ordered by the Court at a future date, the United States of America may not access Walmart dispensing data, deposition transcripts, expert reports, or Walmart's written responses to formal discovery that Walmart has produced into the MDL Repository.
4. Nothing in this Order: (i) prohibits the United States of America from using in this case, data, transcripts, reports, responses, or other documents produced by Walmart to the United States of America; or (ii) limits the United States of America's ability to investigate other matters.
5. By September 23, 2022, the parties shall submit to the Court a proposed protective order governing documents produced or to be used in this

litigation. That proposed protective order shall include provisions for appropriate treatment of protected health information contained therein.



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Honorable Colm F. Connolly  
Chief United States District Judge